

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
MACON DIVISION**

JULIUS WHITE,

Plaintiff,

v.

SHERIFF BILL MASSEE, *et.al.*,

Defendant.

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Case No. 5:20-cv-00476-MTT-CHW

DISMISSAL ORDER

Pro se Plaintiff Julius White, a previous inmate at the Baldwin County Jail in Milledgeville, Georgia filed a 42 U.S.C. § 1983 civil rights claim. ECF No. 1. Plaintiff also filed an incomplete motion for leave to proceed *in forma pauperis*. ECF No. 2.

On February 12, 2021, Plaintiff was ordered to either submit a complete motion to proceed *in forma pauperis* with the proper supporting documents or pay the full filing fee. ECF No. 7. Plaintiff was also ordered to recast his complaint. *Id.* Plaintiff was given fourteen (14) days to respond and was informed that failure to comply would result in dismissal of his action. *Id.* Plaintiff failed to respond.

On March 18, 2021, Plaintiff filed a change of address with the Court that suggested he had been released from custody. ECF No. 8. Consequently, on March 28, 2021, the Court issued another order to Plaintiff's new address for the Plaintiff to recast his complaint and to either pay the filing fee or file a non-prisoner motion to proceed *in forma pauperis*. ECF No. 9. Plaintiff was given another fourteen (14) days to respond and was again

informed that failure to comply would result in dismissal of his action. *Id.* Plaintiff did not respond.

Therefore, on April 21, 2021, the Court notified Plaintiff that it had not received a response and ordered him to show cause why his action should not be dismissed for failure to comply and diligently prosecute his claims. ECF No. 10. The Court unambiguously informed Plaintiff that his action would be dismissed if he failed to respond. *Id.* Plaintiff was given fourteen (14) days to answer, and he has failed to do so.

Because Plaintiff has failed to comply with the Court's orders or otherwise prosecute his case, his complaint is **DISMISSED WITHOUT PREJUDICE**. See Fed. R. Civ. P. 41(b); *Brown v. Tallahassee Police Dep't*, 205 F. App'x 802, 802 (11th Cir. 2006) ("The court may dismiss an action *sua sponte* under Rule 41(b) for failure to prosecute or failure to obey a court order.") (citing Fed. R. Civ. P. 41(b) and *Lopez v. Aransas Cty. Indep. Sch. Dist.*, 570 F.2d 541, 544 (5th Cir. 1978)).

SO ORDERED, this 17th day of May, 2021.

S/ Marc T. Treadwell

MARC T. TREADWELL, CHIEF JUDGE
UNITED STATES DISTRICT COURT